

REMARKS

Claim 19 was objected for an informality. Claim 19 has now been amended on line three to state "each assembled member comprising:".

Claim 24 was rejected under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. In particular the Examiner states that "the side access openings" lack a clear and antecedent basis. Claim 24 has now been amended to require the dolly further comprising side access openings wherein the side access openings open to the passage.

Claims 1-3, 17, and 20-24 were rejected under 35 U.S.C. 103 (a) as being unpatentable over Lutz (DE 38 15 990). Claims 4, 8, and 9 were rejected under 35 U.S.C. 103 (a) as being unpatentable over Lutz in view Liu (US 5,695,205).

Claims 10, 15, 16, and 18 were rejected under 35 U.S.C. 103 (a) as being unpatentable over Lutz in view of Liu and further in Roby et al (US 4,077,644). In addition claims 12 and 14 were rejected under 35 U.S.C. 103 (a) as being unpatentable over Lutz in view of Roby et al.

The allowance of claim 19 is noted. The minor informality noted by the Examiner of claim 19 has been corrected.

The rejections of claims 1 and 20 are traversed. Claim 1 as previously presented requires a projection extending into the channel at a predetermined location for defining a stop means for eliminating the travel for one end of the tubular member into the channel. Claim 20 requires a stop member extending into the passage for obstructing further movement of the structural member into the passage. None of the prior art show or disclose this feature. The Examiner states that in Lutz the ends of the front facing channel of the rear corner members shown in Fig. 1 and the rear facing channel of the front corner members shown in Fig. 1 constitute a projection to the breath such limitation is currently claimed. The Applicant disagrees. The assembled corner members in Lutz form walls defining the channel. Therefore members which form walls of the channel cannot also be the projections that extend into the channel at a predetermined location for defining a stop means. Nor can walls

forming the channel or passage also include or be defined as a stop member extending into the passage as claimed in claim 20. The walls that form the passage or channel can not also be the projections or stop members that extend **into** the passage.

Therefore independent claims 1 and 20 are believed to be allowable over the prior art.

Regarding claims 3 and 20 the Examiner states that the reference Lutz fails to specifically teach the embodiment including both the groove and upstanding wall portions. However, the Examiner states that it would not be deemed to be beyond the skill of the ordinary practitioner to construct a corner portion having both features, for example, for the purpose of ensuring multifunctional use from a single cart. This rejection of the Examiner is traversed. The Examiner has offered no relevant and prior art showing an exposed surface of the upper element being grooved to correspond with a corner bottom portion of a rectangular member. Further the Examiner has not shown or disclosed prior art having the block member having exposed upper surface with a groove therein for receiving a rectangular or stackable member and the exposed upper surface also having at least one raised wall for defining edges of the dolly as claimed in claim 20. Therefore the Applicant believes that this rejection of the claims 3 and 20 is based on facts within the personal knowledge of the Examiner and therefore the Applicant requests an affidavit of the Examiner under section 37 C.F.R. 1.104 (d) (2) with respect to the rejection partly based on the Examiner's personal knowledge to support his reference.

Application Serial No. 10/082,680
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Page 8 of 8

This Amendment should place this case in condition for passing to issue.
Such action is requested.

Respectfully submitted,

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